

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

JEFFREY L. MAYLE, et al.,)	CASE NO.: 5:06CV1907
)	
Plaintiffs,)	JUDGE JOHN ADAMS
)	
v.)	<u>ORDER AND DECISION</u>
)	
ALLSTATE INDEMNITY COMPANY,)	
)	
Defendant.)	
)	

This matter comes before the Court by Defendant Allstate Indemnity Company for a Motion in Limine to exclude from trial any and all testimony and documentary evidence regarding the fact that no criminal investigation, arrest, indictment and/or prosecution has been pursued against Plaintiffs' in connection with the subject arson fire and insurance claim and to prohibit the parties, their attorneys and all witnesses from questioning witnesses or attempting to convey to the jury, in any manner, that no criminal investigation, arrest, indictment and/or prosecution has been pursued against Plaintiffs in connection with the subject arson fire and insurance claim. The Court notes that Plaintiffs have not filed an opposition to this motion. Upon review of the motion and applicable law, the Court finds for the reasons stated in Defendant's Motion and for those stated in the Sixth Circuit's opinion in *Kelly's Auto Parts v. Broughton*, 809 F.2d 1247 (6th Cir. 1987), that the Motion is well-taken and therefore GRANTS same.

So ordered.

s/ Judge John R. Adams
JUDGE JOHN R. ADAMS
UNITED STATES DISTRICT COURT